



CIVIL LITIGATION DIVISION

August 26, 2022

GOOD FAITH LETTER

VIA ELECTRONIC MAIL

Joshua Tom, Esq.
JTom@aclu-ms.org

RE: *Dyamone White, et al. v. State Board of Election Commissioners, et al.*; in the United States District Court for the Northern District of Mississippi (Greenville Division); Civil Action No. 4:22-cv-00062-SA-JMV

Dear Josh:

I write in good faith in satisfaction of our responsibilities under FED. R. CIV. P. 37(a) and L.U.Civ.R. 37(a). I address this letter to you as the signatory of the plaintiffs' discovery responses.

The first page of the plaintiffs' responses to the defendants' interrogatories declares that the plaintiffs' responses "are based upon current discovery and investigation in the litigation." The plaintiffs' initial disclosures reveal that the four plaintiffs may have information concerning nine to eleven factual areas relevant to their claims. No less would be expected, as FED. R. CIV. P. 11 requires some reasonable basis for the many allegations of the 56-page complaint.

Nevertheless, the plaintiffs have provided no documents and almost no information supporting those numerous allegations. We agree that you owe us nothing more than what you presently have, "based upon current discovery and investigation in the litigation," subject to your right and duty to supplement and modify that information as the litigation proceeds. The problem is that you have not done so.

Are your clients prepared to promptly provide to us the documents and information you presently have that are relevant to the claims in their complaint? We believe it makes no sense to engage in negotiations concerning the details of the defendants' requests and your clients' responses if we fundamentally disagree on the scope and timing of your obligations. If your

WALTER SILLERS BUILDING * POST OFFICE BOX 220 * JACKSON, MISSISSIPPI 39205-0220
TELEPHONE (601) 359-3680



Joshua Tom, Esq.
White, et al. v. SBEC, et al.
Civil Action No. 4:22-cv-00062-SA-JMV
August 26, 2022
Page 2

clients are not prepared to promptly produce documents and information relevant to the allegations of their complaint, we will seek to schedule a call with Judge Virden as required by the Case Management Order.

We would appreciate receiving your response to this inquiry by the close of business on September 2, 2022.

Very truly yours,

MISSISSIPPI ATTORNEY GENERAL'S OFFICE



Rex M. Shannon III
Special Assistant Attorney General
Deputy Director, Civil Litigation Division
Office: 601-359-4184
E-mail: rex.shannon@ago.ms.gov

cc: All Counsel of Record